

MAGISTRATE'S CRIMINAL MINUTES

ARRAIGNMENT
PLEA AND
SENTENCE

Time in Court: _____ Hrs 41 Min

Filed in Open Court: Date: 10/25/2022 Time: 3:25 pm Tape: FTR

Magistrate (presiding): LINDA T. WALKERDeputy Clerk: Traci Clements CampbellCase Number: 1:21-CR-139Defendant's Name: Daniel KayeAUSA: Samir KaushalDefendant's Attorney: Rebecca ShepardUSPO/PTR: USPO K. White

Type Counsel: () Retained () CJA (X) FPD () Waived

ARREST DATE: _____

INTERPRETER: _____

 INITIAL APPEARANCE HEARING. (X) In THIS DISTRICT Dft in custody? (X) Yes () No Defendant advised of right to counsel. () WAIVER OF COUNSEL filed. ORDER appointing Federal Defender Program as counsel. () INITIAL APPEARANCE ONLY.

ORDER appointing _____ as counsel.

ORDER giving defendant _____ days to employ counsel (cc: served by Mag CRD)

Dft to pay attorney fees as follows: _____

INFORMATION/COMPLAINT filed. _____ WAIVER OF INDICTMENT filed.

 Copy indictment/information given to dft? (X) Yes () No Read to dft? () Yes () No (X) Prior to Hrg

CONSENT TO TRIAL BEFORE MAGISTRATE (Misd / Petty) offense filed.

 ARRAIGNMENT HELD. () Superseding indictment / information () Dft's WAIVER of appearance filed.

Arraignment continued to _____ at _____ Request of () Govt () Dft

Dft failed to appear for arraignment. Bench warrant issued _____

 Dft enters PLEA OF NOT GUILTY. () Dft stood mute; plea of NOT GUILTY entered. () Waiver of appearance.

MOTION TO CHANGE PLEA, and order allowing same.

 ASSIGNED TO JUDGE J.P. Boulee for (X) trial () arraignment/sentence. Dft intends to enter a guilty plea.

ASSIGNED TO MAGISTRATE _____ for pretrial proceedings.

 Estimated trial time: _____ days. (X) SHORT () MEDIUM () LONG

PRE-SENTENCE INVESTIGATION filed. Referred to USPO for PSI and continued

until _____ at _____ for sentencing.

ARRAIGNMENT - Pg. 2

Case No.: 1:21-cr-139
Defendant: Daniel Kaye

- X Government MOTION FOR DETENTION filed. Hearing set for 10/31/2022 at 10:00 AM
X Temporary commitment issued.

BOND/PRETRIAL DETENTION HEARING

 BOND / PRETRIAL DETENTION hearing held.

 Government MOTION FOR DETENTION () GRANTED () DENIED () WITHDRAWN

 WRITTEN ORDER TO FOLLOW.

 HEARING HELD on motion for reduction / modification of bond.

 Motion for reduction / modification of Bond () GRANTED () DENIED.

 WRITTEN ORDER TO FOLLOW.

 BOND SET at _____

 Non-surety

 Surety () Cash () Property () Corporate surety ONLY

 SPECIAL CONDITIONS: _____

 Bond filed; defendant released.

 Bond NOT EXECUTED. Defendant to remain in Marshal's custody.

WITNESSES: _____

ARRAIGNMENT - Pg. 2

Case No.: 1:21-cr-139

Defendant: Daniel Kaye

MISC: **MAGISTRATE JUDGE'S ORDER**

- Pursuant to the Due Process Protections Act, the Court confirms the United States' obligation to disclose to the defendant all exculpatory evidence- that is, evidence that favors the defendant or casts doubt on the United States' case, as required by *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and ORDERS the United States to do so. The government has a duty to disclose any evidence that goes to negating the defendant's guilt, the credibility of a witness, or that would reduce a potential sentence. The defendant is entitled to this information without a request. Failure to disclose exculpatory evidence in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, disciplinary action, or sanctions by the Court.
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